

Message Text

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ORIGIN DLOS-04

INFO OCT-01 EA-07 IO-10 ISO-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02

SS-15 USIA-06 /112 R

DRAFTED BY D/LOS:JNMOORE

APPROVED BY D/LOS:JNMOORE

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R 051426Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA

USMISSION GENEVA

USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 211040

GENEVA PASS AMBASSADOR CLINGAN, STUART FRENCH, T. LEITZELL

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS MEETING WITH AMBASSADOR BRENNAN

1. AMBASSADOR JOHN NORTON MOORE MET WITH AMBASSADOR BRENNAN IN GENEVA ON AUGUST 27 DURING COURSE OF EVENSEN GROUP DISCUSSIONS AT REQUEST OF BRENNAN FOR EXCHANGE OF VIEWS ON COMMITTEE III MARINE POLLUTION NEGOTIATION. DURING COURSE OF DISCUSSIONS, BRENNAN INDICATED HE FELT AUSTRALIA COULD PROBABLY ACCEPT APPROACH RELYING ON EXCLUSIVELY INTERNATIONAL STANDARDS FOR VESSEL-SOURCE POLLUTION IN THE ECONOMIC ZONE PROVIDED THERE WERE A GENERAL GRANT OF QTE.
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LEGISLATIVE COMPETENCE IN THIS AREA END OF QUOTE. THAT IS

THAT THE COASTAL STATES WOULD HAVE LEGISLATIVE COMPETENCE TO SET STANDARDS BUT WOULD AGREE TO SET ONLY STANDARDS APPROVED INTERNATIONALLY. BRENNAN INDICATED AS ONE REASON FOR THIS THE DESIRE TO ASSERT FEDERAL RATHER THAN PROVINCIAL CONTROL OVER SUBJECT. SINCE ISSUE OF COASTAL STATE STANDARD SETTING COMPETENCE FOR VESSEL-SOURCE POLLUTION IN THE ECONOMIC ZONE IS LARGELY SETTLED IN LOS NEGOTIATION IN THE NEGATIVE (AS INDICATED BY FACT THAT THERE IS NO SUCH AUTHORITY IN THE SINGLE TEXT), MOORE INDICATED THIS DID NOT SEEM IN THE CARDS IN THE NEGOTIATIONS. US, OF COURSE, STRONGLY OPPOSES SUCH STANDARD SETTING COMPETENCE. BRENNAN UNDERSTOOD, HOWEVER, THAT IF THERE WERE TO BE A FINAL COMPROMISE OF A 50-MILE AREA OF COASTAL STATE COMPETENCE TO ENFORCE THE INTERNATIONAL DISCHARGE STANDARDS THAT WOULD

NECESSARILY INCLUDE COASTAL STATE AUTHORITY TO ENACT DOMESTIC LEGISLATION TO PUNISH VIOLATIONS OF INTERNATIONALLY ESTABLISHED DISCHARGE STANDARDS IN THE 50-MILE AREA.

2. ALTHOUGH PROBABLY BEST NOT TO STIMULATE ISSUE, IF EMBASSY HEARS FURTHER INFORMATION ON AUSTRALIAN POSITION ON VESSEL-SOURCE POLLUTION, LOS TEAM WOULD BE INTERESTED. ROBINSON

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